

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO: 7:12-CR-00125-BR

UNITED STATES OF AMERICA

v.

JASON ALLEN WARD

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ORDER

This matter is before the court on defendant's letter dated 9 October 2014. (DE # 44.) In that letter, defendant requests that his presentence report ("PSR") be amended "so that it accurately displays [defendant's] past involvement with illicit controlled substances" Defendant makes this request apparently to enable his eligibility for the Bureau of Prison's ("BOP") Residential Drug Abuse Program ("RDAP").

First, the court does not have the authority to essentially rewrite a portion of the PSR to which defendant did not object. Second, even if the court were to amend the PSR as requested, the BOP retains the ultimate authority for determining which prisoners are eligible for, and allowed to participate in, the RDAP. See 18 U.S.C. § 3621(b), (e). Finally, the court notes that it did recommend to the BOP that defendant be provided necessary substance abuse treatment. (J., DE # 42, at 2.)

Accordingly, to the extent defendant's letter could be deemed a motion, it is DENIED.

This 2 December 2014.



W. Earl Britt
Senior U.S. District Judge